

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA
HUNTINGTON DIVISION**

OHIO VALLEY ENVIRONMENTAL
COALITION, INC., WEST VIRGINIA
HIGHLANDS CONSERVANCY, INC.,
and SIERRA CLUB,

Plaintiffs,

v.

CIVIL ACTION NO. 3:11-cv-00115

ERP ENVIRONMENTAL FUND, INC.,
APOGEE COAL COMPANY, LLC,
CATENARY COAL COMPANY, LLC,
and HOBET MINING, LLC,

Defendant.

ERP ENVIRONMENTAL FUND, INC.'S RESPONSE TO ORDER OF JULY 28, 2017

ERP Environmental Fund, Inc. ("ERP") hereby advises the Court that the four O'Brien & Gere invoices referenced in the Court's July 28, 2017 Order [Docket #108], as well as all other outstanding O'Brien & Gere invoices ERP is aware of, were paid yesterday, August 17, 2017. See Exhibit A (copy of check and certified mail receipt). ERP apologizes to the Special Master and to the Court for the delay in processing payment.

Respectfully submitted,

ERP ENVIRONMENTAL FUND, INC.
By Counsel

/s/ Christopher M. Hunter
CHRISTOPHER M. HUNTER (WVSB # 9768)
JACKSON KELLY PLLC
P.O. Box 553
Charleston, WV 25322

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CERTIFICATE OF SERVICE

I, Christopher M. Hunter, do hereby certify that on August 18, 2017, I electronically filed the foregoing ERP ENVIRONMENTAL FUND, INC.'S RESPONSE TO ORDER OF JULY 28, 2017 with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Derek Teaney
Appalachian Mountain Advocates
117 East Washington Street, No. 3
P.O. Box 507
Lewisburg, WV 24901

/s/ Christopher M. Hunter
CHRISTOPHER M. HUNTER